IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 6941 of 2005

Between:

1 Pothamsetti Rajeswari W/o. Late Dharma Reddy, Hindu,
R/o. Natta RameswaramVillage, Penumantra Mandal,

West Godavary District.
2 Pothamsetti Sridevi W/o. Suryanarayana Reddy, Hindu
R/o. Natta RameswaramVillage, Penumantra Mandal,

West Godavary District.

..... PETITIONERS

AND

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1 The Sub-Inspector of Police, Irragavaram Police Station,
Irragavaram, West Godavari District.
2 The Circle Inspector of Police, Penugonda, West

Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in asking the petitioners and their family members to present before the police stations of the respondents very frequently even without registering a crime and without assigning any reasons as illegal, unjust, arbitrary, extraneous, highhanded and against the statutory provisions and consequently direct the respondents not to harass the petitioners and their family members to present before the respondents' police station without registering a case and without assigning any reason.

Counsel for the Petitioners: MR.L.J.VEERA REDDY

Counsel for the Respondents: GP FOR HOME

The Court at the admission stage made the following :

ORDER:

This writ petition is filed to declare the action of the respondents in asking the petitioners and their family members to present before the police stations of the respondents very frequently even without registering a crime and without assigning any reasons as illegal and arbitrary.

This matter was adjourned on 7-4-2005 for getting instructions by the Government Pleader for Home. The respondents filed counter affidavit stating that during the course of investigation in Crime No.72 of 2003 by the second respondent, a suspicion arose about the involvement of the first petitioner's son by name Sri Hari Reddy. Therefore, the investigating officer sent constables for the son of the first petitioner, but the said Sri Hari Reddy was not available at the residence of the petitioners. When the police asked the first petitioner promised to send her son to the police station to cooperate with the investigating officer. It is further stated that only one time the first respondent sent the constables to the house of the petitioner for investigation purpose, but not as alleged in the affidavit. It is further submitted that there are no cases pending against the petitioners and her son. For want of investigation about the death of the deceased in the said crime, the police called the first petitioner's son.

Heard learned counsel for the petitioners and learned Government Pleader for Home.

Having regard to the facts and circumstances stated in the counter affidavit, I deem it appropriate to close the writ petition recording the above statement of the respondents that there is no case is pending against the petitioner's son. In the course of investigation some suspicion arose with regard to the involvement of the petitioner's son in Crime No.72 of 2003, due to some disputes.

Accordingly, the Writ Petition is closed. However, the respondents are directed not to harass the petitioners and their family members without registering a case and without assigning any reasons. No costs.

Elipe Dharma Rao, J.

19th April, 2005

js.

To

1 The Sub-Inspector of Police, Irragavaram Police Station,
Irragavaram, West Godavari District.
2 The Circle Inspector of Police, Penugonda, West

Godavari District.

3 Two CCs to G.P. for Home, High Court Buildings, Hyderabad.

4 2 CD copies.